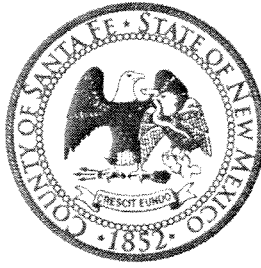


Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathleen Holian
Commissioner, District 4

Elizabeth Stefanics
Commissioner District 5

Katherine Miller
County Manager

May 19, 2014

TO: Procurement File

FR: Bill Taylor, Procurement Manager

VIA: Adam Leigland, Public Works Director
Colleen Baker, Open Space/Trails Program Manager
Mark Hogan, Projects/Facilities Division Director

RE: Sole Source Determination Eco-Counter for Pedestrian/Bicycle Traffic Information

Issue

Public Works/Open Space Division has requested a Sole Source Determination to purchase a pedestrian/ bicycle count equipment system. The purpose of the pedestrian/bicycle counters is to provide data to inform alternative transportation planning for bicycling, walking and public transit. The counters will provide critical information necessary to implement Policy 34-1 of the Santa Fe County Sustainable Growth Management Plan "Develop an efficient multi-modal transportation network in Santa Fe County such that the access, mobility, and safety needs of motorists, transit users, bicyclists, and pedestrians of all ages and abilities are safely accommodated." This equipment will allow for data collection using a cellular network to a secured cloud server. The alternative would require the data to be collected physically by individual staff. The manpower and time this would require is not practicable.

The Division performed its due diligence in determining the basis for the sole source procurement by consulting with the Metropolitan Planning Organization and their requirements for data collection pursuant to the Unified Planning Work Program (UPWP). Additional research of Pedestrian and Bicycle data collection was conducted with the Federal Highway Administration and State Transportation agencies on the internet. There are only two manufacturers that offer self-contained passive infrared pedestrian/bicycle counter, Eco-Counter and TRAFx. The TRAFx Trail Counter cannot detect direction of travel, can only collect data in hourly intervals and requires manual retrieval of the data from the field.

Determination

After its own due diligence in researching other manufacturers of the counter equipment and system, it is apparent that Eco-Counter is the only manufacturer that can provide the County Open Space Division with the data collection capabilities for the appropriate information retrieval.

Therefore it is the determination of the Santa Fe County Purchasing Division that due to the uniqueness of the counter equipment, Eco-Counter is the only manufacturer and vendor that can provide the County with the intended purpose of the scope of work and contract.

Pursuant to 13-1-126, NMSA 1978 this Purchasing Department after conducting due diligence has made the determination that this is a sole source procurement pursuant to the NMSA 1978 13-1-126 that *"a contract may be awarded without competitive sealed bids or competitive sealed proposals regardless of the estimated cost when the state purchasing agent or a central purchasing office makes a determination, after conducting a good-faith review of available sources and consulting the using agency, that other similar services, construction or items of tangible personal property cannot meet the intended purpose of the contract."*

Vendor Information:

Vendor- Eco-Counter
715-3981 St-Laurent Blvd.
Montreal, QC
H2W 1Y5, Canada

Deliverables: SGCX0001 QTY 2 PYRO-Box 2 PYRO Middle Range 4M (13') wide with direction
XGCM0004 QTY 2 Eco-Combo MULTI Pedestrian/Cycles 3m (10') wide with direction
SGCD0003 QTY 1 Eco-Combo 2 Pedestrian SLABS<0.80 (2.6) wide for Manhole with direction.

The Eco-Combo MULTI counters will be placed on the Santa Fe Rail Trail and The Santa Fe River Trail to provide baseline data on the County's multi-use trails.

Amount of Purchase: \$21,840.00, excluding NM GRT



SANTA FE COUNTY SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the County Purchasing Agent. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

I. Department/Division: Public Works/Open Space

Director: Adam Leigland

Telephone Number: 992-3023

II. Name of prospective Contractor: Eco-Counter

Address of prospective Contractor: 715-3981 St-Laurent Blvd
Montreal, QC
H2W 1Y5, Canada

Amount of prospective purchase: \$21,840

Term of prospective contract:

III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:

SGCX0001 Qty 2	PYRO-Box 2 PYRO Middle Range 4M (13') wide with direction
XGCM0004 Qty 2	Eco-Combo MULTI Pedestrian/Cycles 3m (10') wide with direction
SGCD0003 Qty 1	Eco-Combo 2 Pedestrian SLABS <0.80m (2.6') wide for Manhole with direction

The Open Space and Trails Program is requesting to purchase the pedestrian/cycle counters in order to collect data on the number and types of users on our trails to inform our planning efforts for future trails and trail amenities and to inform future capital investments. The Eco-Combo MULTI counters will be placed on the Santa Fe Rail Trail and the Santa Fe River Trail to provide baseline data on the County's multi-use trails. The PYRO-Box 2 counters will be rotated between multiple counting locations. The Eco-Combo 2 Pedestrian slab will be installed on the Dale Ball Trails to collect data on the number and types of users on our

hiking trails to inform our planning efforts and to better serve the various trail users, hikers, mountain bikers and equestrians.

- IV. Provide an explanation of the criteria developed and specified by the agency as necessary to perform and/or fulfill the contract and upon which the state agency reviewed available sources. (Do not use “technical jargon;” use plain English. Do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

The following is a list of features we require in the pedestrian/bicycle count equipment:

- Passive infrared automatic count technology
- Ability to detect direction of travel
- Ability to record data in 15 minute intervals
- 10 year battery life
- Complete autonomous system (no need to plug anything in or set up a reflector).
- Cellular network data transmissions to a secured cloud sever.

- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor ***the one source*** capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

Eco-Counter is the only company that manufactures passive infrared pedestrian/bicycle counters that have the ability to detect the direction of traffic, record data in 15 minute intervals, transmit data over a cellular network to a secured cloud server and have an extended battery life.

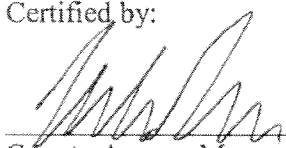
- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are ***unique and how this uniqueness is substantially related to the intended purpose of the contract.***

The purpose of the pedestrian/bicycle counters is to provide data to inform alternative transportation planning for bicycling, walking and public transit. The counters will provide critical information necessary to implement Policy 34.1 of the Santa Fe County Sustainable Growth Management Plan “Develop an efficient multi-modal transportation network in Santa Fe County such that the access, mobility, and safety needs of motorists, transit users, bicyclists, and pedestrians of all ages and abilities are safely accommodated.” The passive infrared technology in a completely autonomous system makes the counter easy to install and maintain, resistant to vandalism, and easy to move between multiple counting locations. The ability to detect direction of travel is very important in helping us determine travel types and patterns. The ability to record data in 15 minute intervals provides more accurate data on travel times. The ability to transmit data over a cellular network to a secured cloud server, versus having to physically collect the data from the counters, allows daily data collection with minimal staff time, and provides immediate notice of any problems with the counters. The 10 year battery life minimizes battery maintenance.

Certified by:

Date:

5/16/14


County Agency Manager or Designee

Agency Approval by:

Date: _____

County Manager or Designee***If this sole source relates to a procurement of general services:***

- 1) the signature of the Procurement Manager on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges;
- 2) the sole source is granted as of the date of signature by the County Procurement Manager; and
- 3) the signature of the County Procurement Manager on this form is the final signature required for this sole source procurement.

If this sole source relates to a procurement of professional services:

- 1) the signature of the County Procurement Manager on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenge(s); and
- 2) the signature of the County Manager.
- 3) this sole source is granted as of the date of signature by the Director of Finance Department.

If this sole source is being submitted by a governmental agency or governmental entity not under the final authority of the State Purchasing Agent or the Department of Finance and Administration, neither the State Purchasing Agent's nor the Department of Finance and Administration Secretary's signature are required. Those signature lines may be removed from this form or marked as N/A.